



SPECIAL SBIR PHASE I SOLICITATION – TECHNOLOGY SOLUTIONS FOR WESTERN USA ENVIRONMENTAL PROBLEMS

Special Phase I Solicitation No. PR-NC-03-10273

- Coal Bed Methane
- Animal Environmental Management
and Chronic Wasting Disease
- Mining
- Nonroad Engines

ISSUE DATE: March 27, 2003

CLOSING DATE: May 23, 2003 *

* CAUTION - See Section V, Paragraph J.9(c), Instructions to Offerors,
concerning Late Proposals and Modifications.

Your proposal with an **original and nine (9) copies** (including all appendices) shall be received at one of the following addresses by **12:00 p.m. (noon) local time on May 23, 2003.**

U.S. MAIL:

U.S. Environmental Protection Agency
Attention: Marsha Johnson, Western USA SBIR
RTP Procurement Operations Division (D143-01)
Research Triangle Park, NC 27711

HAND-CARRIED/COURIER ADDRESS:

U.S. Environmental Protection Agency
Attention: Marsha Johnson, Western USA SBIR
RTP Procurement Operations Division (D143-01)
4930 Old Page Road
Research Triangle Park, NC 27709

Table of Contents

Page

I. Program Description	
II. Definitions.....	
III. Proposal Preparation Instructions and Requirements	
IV. Method of Selection and Evaluation Criteria.....	
V. Considerations.....	
VI. Submission of Proposals	
VII. Scientific and Technical Information Sources.....	
VIII. SBIR Phase I Technology Solutions for Western USA Environmental Problems Research Topics	
A3. Coal Bed Methane.....	
B3. Animal Environmental Management and Chronic Wasting Disease	
C3. Mining	
D3. Nonroad Engines.....	
IX. Submission Forms and Certifications	
APPENDICES	
APPENDIX A - Proposal Cover Sheet	
APPENDIX B - Project Summary	
APPENDIX C - SBIR Proposal Summary Budget.....	
APPENDIX D - Scientific and Technical Information Sources	
APPENDIX E - Commercialization Factsheet/Patent Search.....	

SPECIAL SBIR PHASE I SOLICITATION TECHNOLOGY SOLUTIONS FOR WESTERN USA ENVIRONMENTAL PROBLEMS

Solicitation No. PR-NC-03-10273

ISSUE DATE: March 27, 2003
CLOSING DATE: May 23, 2003 *

* CAUTION - See Section V, Paragraph J.9(c), Instructions to Offerors, Concerning Late Proposals and Modifications

I. PROGRAM DESCRIPTION

A. The Environmental Protection Agency (EPA) invites small business firms to submit research proposals under this special Small Business Innovation Research (SBIR) Solicitation entitled "Technology Solutions for Western USA Environmental Problems." The SBIR program is a phased process uniform throughout the Federal Government of soliciting proposals and awarding funding agreements for research (R) or research and development (R&D) to meet stated Agency needs or missions.

While this special SBIR solicitation only covers technologies for Western USA environmental problems, EPA is also issuing Special SBIR solicitations covering air pollution monitoring and safe buildings and water security, and the Regular SBIR Solicitation covering pollution prevention, drinking water and water pollution control, and solid and hazardous waste management. The proposed research must directly pertain to EPA's environmental mission and must be responsive to EPA program interests included in the topic descriptions in this solicitation.

In order to facilitate proposal reviews by external peer reviewers with specialized expertise and by EPA technical personnel with focused program needs and priorities, offerors must designate a research topic for their proposal. The same proposal may not be submitted under more than one topic and the same proposal cannot be submitted under more than one EPA SBIR solicitation issued in 2003. An organization may submit separate proposals on different topics or different proposals on the same topic as long as the proposals are not duplicates of the same research principle modified to fit the topic. If such duplicates are submitted, only one will be reviewed. Refer to Sections IV, V, and VII for additional requirements. Where similar research is discussed under more than one topic, the offeror should choose the topic most relevant to the proposed research. It is the complete responsibility of offerors to select and identify the best topic for their proposals.

B. Offerors are responsible for submitting proposals, and any modifications or revisions, so as to reach the Government office designated in this solicitation by the time specified in this solicitation. See Section V, Paragraph J.9(c), Instructions to Offerors, Concerning Late Proposals and Modifications.

THIS SOLICITATION IS FOR SPECIAL SBIR PHASE I ONLY.

To stimulate and foster technological innovation, including increasing private-sector applications of Federal research or R&D, EPA's program follows the SBIR program's uniform process:

(1) **PHASE I.** Phase I involves a solicitation of proposals to conduct feasibility-related experimental research or R&D related to described Agency requirements. The objective of this phase is to determine the technical feasibility and preliminary commercialization potential of the proposed effort and the quality of performance of the small business concern

with a relatively small Agency investment before consideration of further Federal support in Phase II. The Government is not obligated to fund any specific Phase I proposal. The maximum dollar amount of this special Phase I solicitation is \$70,000 and the term of performance should not exceed 6 months.

(2) **PHASE II.** Phase II proposals may only be submitted by Phase I award winners invited to submit proposals. Phase II is the principal research or R&D effort and Phase II projects should normally be completed in 15 months. The objective is to continue the research or R&D initiated under Phase I and work toward commercialization of the technology. Phase II awards are expected to include full-scale testing of the technology, but may not necessarily complete the total research and development that may be required to satisfy commercial or Federal needs beyond the SBIR program. Completion of the research and development may be through Phase III. The Agency is under no obligation to fund any proposal or any specific number of proposals in a given topic. It also may elect to fund several or none of the proposed approaches to the same topic.

It is anticipated that approximately 5-10 Phase II awards will be made, each with a dollar amount of \$225,000 and 15-month term of performance. For Phase II, the Agency is planning to offer two Phase II Options: (1) Phase II Commercialization Option under which Phase II offerors may submit a proposal for \$70,000 additional funding to expand R&D efforts to accelerate the project from full-scale testing and demonstration to full commercialization; and (2) Phase II Environmental Technology Verification (ETV) Option under which Phase II offerors may submit a proposal for up to \$25,000 additional funding to expand R&D efforts to include ETV verification testing. EPA Federal funds must be designated strictly for advancing the research-related elements of the project. No automatic preference shall be given to offers which address the options; however, in the case where an offeror addresses the option(s) in its proposal, the entire proposal including the option(s) shall be evaluated. The Agency would have a unilateral right to exercise the option after EPA's acceptance of the company's option documentation. Documentation for the Phase II Commercialization Option are receipts showing that at least \$100,000 was transferred to the contractor from one or more third-party investors, such as a venture capital firm; an "angel" investor; local, state, or Federal non-SBIR funding source; another company under a partnership, licensing, or joint venture arrangement; or any combination of third parties. Documentation for the ETV Option is the signed ETV Technology Verification Testing Commitment Letter. (For more information on ETV, visit <http://www.epa.gov/etv>.) The Government is not obligated to fund any specific Phase II proposal.

For technologies awarded Phase I contracts under this solicitation, the follow-on Phase II Solicitation will be issued on/about July 29, 2004, and proposals will be due on/about September 16, 2004. It is expected that each Phase II proposal will be evaluated on the results of Phase I, the Phase II program plan, and the commercial potential of the Phase II proposal. The evaluation criteria will be as follows:

PHASE II CRITERIA

1. Results of Phase I and degree to which research objectives and identified customer needs were met. Demonstration of performance/cost effectiveness and environmental benefits associated with the proposed research, including risk reduction potential.
2. Quality and soundness of the Phase II research plan to establish the technical and commercial viability of the proposed concept as evidenced through technology prototypes or initial commercial demonstrations.
3. Qualifications of the principal/key investigator, supporting staff, and consultants. Time commitment of principal/key investigator, adequacy of equipment and facilities, and proposed budget to accomplish the proposed research. Adequacy of Phase II Quality Assurance Summary.
4. Potential of the proposed concept for significant commercialization applications. The quality and adequacy of the commercialization plan to produce an innovative product, process, or device and to put technology prototypes or initial Phase II applications into commercial production and sales.
5. The offeror's SBIR or other research commercialization record. Existence of second phase funding commitments from private-sector or non-SBIR funding sources. Existence of third phase follow-on commitments and presence of other indicators of commercial potential of the idea.

(3) **PHASE III.** Where appropriate and needed in order to complete the research and development, there may be a third phase which is funded by:

1. Non-Federal sources of capital for commercial applications of SBIR-funded research or research and development.
2. Federal Government with non-SBIR Federal funds for SBIR-derived products and processes that will be used by the Federal Government.
3. Non-SBIR Federal funds for the continuation of research or research and development that has been competitively selected using peer review or scientific review criteria.

C. Each offeror submitting a proposal must qualify as a small business for research or R&D purposes at the time of award. In addition, the primary employment of the principal investigator must be with the small business firm at the time of award and during the conduct of the proposed research. Principal investigators who appear to be employed by a university must submit a letter from the university stating that the principal investigator, if awarded an SBIR contract, will become a less-than-half-time employee of the university. Also, a principal investigator who appears to be a staff member of both the applicant and another employer must submit a letter from the second employer stating that, if awarded an SBIR contract, he/she will become a less than half-time employee of such organization. Letters demonstrating that these requirements have been fulfilled must be submitted prior to contract award to the addressee stated in Section VI of this solicitation. Failure to do so may jeopardize award. Also, for both Phase I and Phase II, the research or R&D work must be performed in the United States. (For definition of the United States, see Section II.J.)

D. **For Phase I the Government anticipates the award of approximately \$0.7 M in firm-fixed-price contracts at approximately \$70,000 each including profit**, but reserves the right to change either the number of awards or the amount of the individual awards depending on the outcome of the selection process. The contractor's period of performance is expected to be 6 months. Award of any contract(s) resulting from this solicitation shall be to the responsible offeror(s) with the highest rankings after evaluation in accordance with Section IV. Source selection will not be based on a comparison of cost or price. However, cost or price will be evaluated to determine whether the price, including any proposed profit, is fair and reasonable and whether the offeror understands the work and is capable of performing the contract.

E. All inquiries concerning this solicitation shall be submitted to the following E-mail address:

johnson.marsha@epa.gov

If E-mail is not available to you, written or telephone inquiries may be directed to:

U.S. Environmental Protection Agency
Attention: Marsha Johnson, Western USA SBIR
RTP Procurement Operations Division (D143-01)
Research Triangle Park, NC 27711
(919) 541-0952

Potential offerors are encouraged to communicate via E-mail.

II. DEFINITIONS

For purposes of this solicitation, the following definitions apply:

A. **Research or Research and Development (R/R&D)**: Any activity that is:

- (1) A systematic, intensive study directed toward greater knowledge or understanding of the subject studied.
- (2) A systematic study directed specifically toward applying new knowledge to meet a recognized need; or
- (3) A systematic application of knowledge toward the production of useful materials, devices, and systems or methods, including design, development, and improvement of prototypes and new processes to meet specific requirements.

B. Funding Agreement: Any contract, grant, or cooperative agreement entered into between any Federal agency and any small business concern for the performance of experimental, developmental, or research work, including products and services, funded in whole or in part by the Federal Government.

C. Subcontract: Any agreement, other than one involving an employer-employee relationship, entered into by an awardee of a funding agreement calling for supplies or services for the performance of the original funding agreement.

D. Small Business Concern: A concern that, on the date of award for both Phase I and Phase II funding agreements meets the following criteria:

- (1) Is organized for profit, with a place of business located in the United States, which operates primarily within the United States or which makes a significant contribution to the United States economy through payment of taxes or use of American products, materials, or labor;
- (2) Is in the legal form of an individual proprietorship, partnership, limited liability company, corporation, joint venture, association, trust, or cooperative, except that where the form is a joint venture, there can be no more than 49 percent participation by foreign business entities in the joint venture;
- (3) Is at least 51 percent owned and controlled by one or more individuals who are citizens of, or permanent resident aliens in the United States, except in the case of a joint venture, where each entity to the venture must be 51 percent owned and controlled by one or more individuals who are citizens of, or permanent resident aliens in the United States; and
- (4) Has, including its affiliates, not more than 500 employees.

E. Socially and Economically Disadvantaged Small Business Concern: A socially and economically disadvantaged small business concern is one that is:

- (1) At least 51 percent owned by (i) an Indian tribe or a Native Hawaiian organization, or (ii) one or more socially and economically disadvantaged individuals, and
- (2) Whose management and daily business operations are controlled by one or more socially and economically disadvantaged individuals.

F. Socially and Economically Disadvantaged Individual: A member of any of the following groups:

- (1) Black Americans;
- (2) Hispanic Americans;
- (3) Native Americans (American Indians, Eskimos, Aleuts, or Native Hawaiians);
- (4) Asian-Pacific Americans (persons with origins from Burma, Thailand, Malaysia, Indonesia, Singapore, Brunei, Japan, China (including Hong Kong), Taiwan, Laos, Cambodia (Kampuchea), Vietnam, Korea, The Philippines, U.S. Trust Territory of the Pacific Islands (Republic of Palau), Republic of the Marshall Islands, Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, Guam, Samoa, Macao, Fiji, Tonga, Kiribati, Tuvalu, or Nauru);
- (5) Subcontinent Asian Americans (persons with origins from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands, or Nepal); and
- (6) Other groups designated from time to time by SBA pursuant to Section 124.103 (d) of 13 CFR Ch.1 (1-1-02 Edition).

G. Women-Owned Small Business Concern: A small business concern that is at least 51 percent owned by one or more women, or in the case of a publicly owned business, at least 51 percent of the stock is owned by women, and women control the management and daily business operations.

H. Historically Underutilized Business Zone (HUBZone): A small business concern meeting the following requirements:

(1) Located in a HUBZone area located in one or more of the following:

- a) A qualified census tract (as defined in Section 429(d)(5)(C)(i)(1) of the Internal Revenue Code of 1986;
- b) A qualified “non-metropolitan county” (as defined in Section 143 (k)(2)(B) of the Internal Revenue Code of 1986) with a median household income of less than 80 percent of the State median household income or with an unemployment rate of not less than 140 percent of the Statewide average, based on U.S. Department of Labor recent data; or,
- c) Lands within the boundaries of Federally recognized Indian reservations.

(2) Owned and controlled by one or more U.S. Citizens; and,

(3) At least 35% of its employees must reside in a HUBZone.

I. Primary Employment: More than one-half of the principal investigator’s time is spent in the employ of the small business concern.

J. United States: The 50 States, the Territories and possessions of the Federal Government, the Commonwealth of Puerto Rico, the District of Columbia, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

K. Commercialization: The process of developing marketable products or services and producing and delivering products or services for sale (whether by the originating party or by others) to Government or commercial markets.

L. SBIR Technical Data: All data generated during the performance of an SBIR award.

M. SBIR Technical Data Rights: The rights a small business concern obtains in data generated during the performance of any SBIR Phase I, Phase II, or Phase III award that an awardee delivers to the Government during or upon completion of a Federally-funded project, and to which the Government receives a license.

III. PROPOSAL PREPARATION INSTRUCTIONS AND REQUIREMENTS

A. PROPOSAL PAGE LIMIT

Proposals submitted in response to this Phase I of the SBIR program shall not exceed a total of **25 pages**, one side only. The only exception would be regarding the requirements set forth in Section III.D.12, “Prior SBIR Awards.” The **25 pages** should include the cover page, budget, and all enclosures or attachments. Pages (including enclosures or attachments such as letters of recommendation) should be of standard size (8 ½" x 11"; 21.6 cm x 27.9 cm) with 2.5 cm margins and type no smaller than 10 point font size. All pages must be consecutively numbered. **Proposals in excess of the 25-page limitation shall not be considered for review or award.** Any additional attachments, appendices, or references beyond the 25-page limitation shall result in the proposal not being considered for review or award. A letter of transmittal is not necessary. If one is furnished, it must not be attached to every copy of the proposal. If a letter of transmittal is attached to every copy of the proposal, it will be counted as page 1 of the proposal. No binders are necessary. If binders are provided, they will be counted as pages even if no printing or writing is thereon.

B. PROPOSAL COVER SHEET

The offeror shall photocopy (or download from the Internet) and complete Appendix A of this solicitation which has the relevant solicitation number as page 1 of each copy of each proposal. **No other cover shall be permitted.** When downloading the solicitation from the Internet, Appendix A may print on 2 pages, but will only count as 1 page per Appendix. Offerors may reformat the forms to correct spacing and pagination errors; however, identical information must be provided.

The original of the cover sheet must contain the pen-and-ink signatures of the authorized negotiator and the person authorized to sign the proposal.

C. ABSTRACT OR SUMMARY

The offeror shall complete Appendix B as page 2 of each proposal. Appendix B is limited to 1 page. The technical abstract should include a brief description of the problem or opportunity, the innovation, project objectives, and description of the effort. In summarizing anticipated results, the implications of the approach (for both Phases I and II) and the potential commercial applications of the research shall be stated. **THE ABSTRACT IS USED EXTENSIVELY DURING THE EXTERNAL PEER REVIEW AND EPA INTERNAL PROGRAMMATIC REVIEW.** The project summary of successful proposals will be published by EPA and, therefore, must not contain proprietary information.

D. TECHNICAL CONTENT

Begin the main body of the proposal on page 3. As a minimum, the following shall be included:

- 1. IDENTIFICATION AND SIGNIFICANCE OF THE PROBLEM OR OPPORTUNITY.** A clear statement of the specific technical problem or opportunity addressed and the environmental benefits. **INFORMATION ON THE ENVIRONMENTAL BENEFITS ASSOCIATED WITH THE TECHNOLOGY IS A VERY IMPORTANT PART OF THE EXTERNAL PEER REVIEW AND EPA INTERNAL PROGRAMMATIC REVIEW.** Where appropriate, proposals should describe the positive and negative environmental benefits based on an assessment of the full life cycle of the new product or technology. Life Cycle Assessment (LCA) refers to the analysis of impacts throughout all stages of a product or process from production to use to disposal. Integration of a life cycle perspective into the environmental analysis typically considers impacts from raw materials extraction, manufacture, packaging, distribution and disposal.
- 2. PHASE I OBJECTIVES.** State the specific objectives of Phase I research and development effort, including the technical questions it will try to answer to determine the feasibility of the proposed approach.
- 3. PHASE I WORK PLAN.** This section provides a detailed description of the work plan. The work plan should describe what will be done, where it will be done, and how the R/R&D will be carried out. The work planned to achieve each task should be discussed in detail, to enable a complete scientific and technical evaluation of the work plan. A work schedule should also be provided.
- 4. RELATED RESEARCH OR R&D.** Describe significant research or R&D that is directly related to the proposal including any conducted by the project manager/principal investigator or by the proposing firm. Describe how it relates to the proposed effort, and any planned coordination with outside sources. Offerors must demonstrate their awareness of key recent research or R&D conducted by others in the specific topic area by providing appropriate references from the literature and other published documents.
- 5. KEY PERSONNEL AND BIBLIOGRAPHY OF DIRECTLY RELATED WORK.** Identify key personnel involved in Phase I including their directly related education, experience and bibliographic information. Where vitae are extensive, summaries that focus on the most relevant experience or publications are desired and may be necessary to meet proposal size limitations.
- 6. RELATIONSHIP WITH FUTURE RESEARCH OR RESEARCH AND DEVELOPMENT.** State the anticipated results of the proposed approach if the project is successful (Phase I and II). A discussion of cost-effectiveness is paramount, especially comparing the state-of-the-art approaches with the proposed approach. Discuss the significance of the Phase I effort in providing a foundation for Phase II R/R&D effort.

7. FACILITIES. A detailed description of the availability and location of instrumentation and physical facilities proposed for Phase I should be provided.

8. CONSULTANTS. Involvement of consultants in the planning and research stages of the project is permitted. If such involvement is intended, it should be described in detail and vitae should be provided.

9. COMMERCIALIZATION PLAN. Provide an abbreviated 2-3 page plan related directly to producing an innovative product, process, or device and getting it into commercial production and sales. Comprehensive business plans (that are company rather than project oriented) are not desired. The Phase I plan is a roadmap toward producing a detailed Phase II Commercialization Plan which will be required as part of the Phase II Application.

NOTE: The Small Business Research and Development Enhancement Act of 1992 allows discretionary technical assistance to SBIR awardees. The Agency may provide up to \$4,000 of SBIR funds for technical assistance per award. EPA intends to provide Phase I awardees with technical assistance through a separate EPA arrangement. For Phase I, this assistance will be in addition to the award amount. For Phase II, the law allows each awardee to expend up to \$4,000 per year of the award amount for technical assistance services.

The Phase I plan should provide limited information on the subjects described below. Explain what will be done during Phase I to decide on applications, markets, production, and financing. The Commercialization Plan should address:

- a. **SBIR Project:** Brief description of the company, its principal field(s) of interest, size, and current products and sales. A concise description of the SBIR project and its key technical objectives.
- b. **Commercial Applications:** Potential commercial applications of the research results specifying customers and specific needs that will be satisfied. Have you or do you intend to file for one or more patents as a result of the SBIR project?
- c. **Competitive Advantages:** What is particularly innovative about the anticipated technology or products? (Innovation may be expressed in terms of applications, performance, efficiencies, or reduced cost. To determine if your innovation is likely to result in intellectual property that may be legally protected, it helps to conduct a patent search and look for related work being funded by EPA or another Federal agency. A factsheet on how to search for patents and related Federally-funded work is provided in Appendix E.) What significant advantages in application, performance, technique, efficiency, or costs do you anticipate your new technology will have over existing technology? (In order to assess such advantages, it is useful to compare the anticipated performance of your technology against substitutable products currently being sold or emerging out of R&D. If regulations, industry standards, or certifying requirements apply to your technology or product, these provide useful criteria for comparing your anticipated performance with potentially competing technology and products. However, other expressions of end-user needs may also contain important criteria.)
- d. **Markets:** What are the anticipated specific markets for the resulting technology, their estimated size, classes of customers, and your estimated market share 5 years after the project is completed and/or first sales? Who are the major competitors in the markets, present and/or anticipated?
- e. **Commercialization:** Briefly describe how you plan to produce your product. Do you intend to manufacture it yourself, subcontract the manufacturing, enter into a joint venture or manufacturing agreement, license the product, etc.? Briefly describe the approach and steps you plan to take to commercialize the research results to significant sales. Do you plan to market the product yourself, through dealers, contract sales, marketing agreements, joint venture, sales representatives, foreign companies, etc.? How do you plan to raise money to support your commercialization plan?

10. SIMILAR OR CLOSELY RELATED SBIR AWARDS. If the small business concern has received ANY prior Phase I or Phase II award(s) from EPA or any Federal agency for similar or closely related research, submit the name of awarding agency, date of award, funding agreement number, amount, and topic or subtopic title. **DESCRIBE THE TECHNICAL DIFFERENCES AND REASONS WHY THE PROPOSED NEW PHASE I RESEARCH IS DIFFERENT FROM RESEARCH CONDUCTED UNDER PRIOR SBIR AWARDS.** (This required proposal information shall be counted toward proposal pages count limitation.)

11. DUPLICATE OR EQUIVALENT SBIR PROPOSALS. A firm may elect to submit essentially equivalent work under other Federal program Solicitations. In these cases, a statement must be included in each such proposal indicating: the name and address of the agencies to which proposals were submitted or from which awards were received; date of proposal submission or date of award; title, number, and date of solicitations under which proposals were submitted or awards received; specific applicable research topics for each proposal submitted or award received; titles of research projects; and name and title of project manager or principal investigator for each proposal submitted or award received. (This information shall count toward proposal pages count limitation.)

12. PRIOR SBIR AWARDS. If the small business concern has received ANY prior Phase II award from any Federal agency in the prior 5 fiscal years, submit name of awarding agency, date of award, funding agreement number, amount, topic or subtopic title, follow-on agreement amount, source and date of commitment, and current commercialization status for each Phase II. (This required proposal information shall be included as an attachment to the proposals and shall not be counted toward proposal pages count limitation.)

E. COST BREAKDOWN/ PROPOSED BUDGET

Complete the budget form in Appendix C and include the form immediately after proposal Section D.11. Photocopy the form for the required copies for submission. Incorporate the copy of the budget form bearing the original signature into the copy of the proposal bearing the original signature on the cover page. The budget form will count as 1 page in the 25-page limit. If budget explanation pages are included, they will count toward the 25-page limit.

F. PHASE I QUALITY ASSURANCE NARRATIVE STATEMENT

Offerors must state whether or not their proposal involves data collection or processing, environmental measurements, modeling, or the development of environmental technology (whether hardware-based or via new techniques). The Quality Assurance Narrative provides a statement on processes that will be used to assure that results of the research satisfy the intended project objectives. EPA is particularly interested in the quality controls for data generation and acquisition, and how data validation and usability will be verified. This Quality Assurance Narrative statement should not exceed 2 pages and will be included in the 25-page limitation for the proposal. For each item below, either present the required information, reference the specific location of the information in the proposal, or provide a justification of why the item does not apply to the proposed research.

1. Identify the individual who will be responsible for the quality assurance (QA) and quality control (QC) aspects of the research. (QA is an integrated system of management activities involving planning, implementation, documentation, assessment, and improvement to ensure that a process or item is of the type and quality needed for the project. QC is the system of technical activities that measures the attributes and performance of a process or item against defined standards, to verify that they meet the stated requirements.)
2. Discuss the activities to be performed or the hypothesis to be tested and criteria for determining acceptable data quality. (Note: Such criteria may be expressed in terms of precision, accuracy, representativeness, completeness, and comparability or in terms of data quality objectives or acceptance and evaluation criteria.) Also, these criteria must be applied to determine the acceptability of existing or secondary data to be used in the project. (In this context, secondary data may be defined as data previously collected for other purposes or from other sources.)
3. Describe the study design. Include sample type(s) and location requirements, all statistical analyses that were or will be used to estimate the types and numbers of physical samples required, *or* equivalent information for studies using survey and interview techniques, *or* describe how new technology will be benchmarked to improve existing processes, such as those used by industry.
4. Describe the procedures that will be used in the calibration and performance evaluation of all analytical instrumentation and all methods of analysis to be used during the project. Explain how the effectiveness of any new technology will be measured.
5. Describe the procedures for the handling and custody of samples, including sample collection, identification, preservation, transportation, and storage, or how the accuracy of test measurements will be verified.

6. Discuss the procedures for data reduction and reporting, including a description of all statistical methods to make inferences and conclusions, with identification of any statistical software to be used; discuss any computer models to be designed or utilized and describe the associated verification and validation techniques.

7. Describe the quantitative and/or qualitative procedures that will be used to evaluate the success of the project, including any plans for peer or other reviews of the study design or analytical methods prior to data collection.

A more detailed Proposal Quality Assurance Plan will be required in Phase II. The plan will be required as part of the first Monthly Report under the Phase II contract.

IV. METHOD OF SELECTION AND EVALUATION CRITERIA

All Phase I proposals will be evaluated and judged on a competitive basis by peer reviewers from outside EPA. Proposals will be initially screened to determine responsiveness. As noted in Section III, proposals exceeding the 25-page limitation will not be considered for review or award. Also, as noted in Section I, any proposal addressing more than one research topic, failing to identify the research topic by letter symbol on the cover page, and submitting the same proposal under more than one solicitation issued in 2003 will not be considered for review or award. Proposals passing this initial screening will be reviewed for technical merit by external peer review panels of technical experts, using the technical evaluation criteria described in A.1 below. Each of the criteria are equal in value. These panels will assign each proposal an adjectival rating of "Excellent", "Very Good", "Good", "Fair" or "Poor", using the specified criteria. The proposals assigned "Excellent" and "Very Good" ratings will then be subjected to the programmatic review within EPA, to further evaluate these applications in relation to program priorities and balance using the criteria specified in A.2 below. Each proposal will be judged on its own merit. The Agency is under no obligation to fund any proposal or any specific number of proposals in a given topic. It also may elect to fund several or none of the proposed approaches to the same topic or subtopic.

A. TECHNICAL EVALUATION CRITERIA

1. EXTERNAL PEER REVIEW. The external peer review panels will utilize the following evaluation criteria to rate each proposal. The criteria are of equal importance.

CRITERIA

- a. The scientific and technical significance of the proposed technology and its appropriateness to the research topic. Quality and soundness of the research plan to establish the technical and commercial feasibility of the concept.
- b. The uniqueness/ingenuity of the proposed concept or application as technological innovation. Originality and innovativeness of the proposed research toward meeting customer needs and achieving commercialization of the technology.
- c. Potential demonstration of performance/cost effectiveness and environmental benefits associated with the proposed research, including risk reduction potential.
- d. Qualifications of the principal/key investigator, supporting staff and consultants. Time commitment of principal/key investigator, adequacy of equipment and facilities, and proposed budget to accomplish the proposed research. Adequacy and quality of the Quality Assurance Narrative Statement.
- e. Potential of the proposed concept for significant commercial applications. Potential for the commercialization plan to produce an innovative product, process, or device and to put it into commercial production and sales. Potential market and competition and other financial/business indicators of commercialization potential and the offeror's SBIR or other research commercialization record.

All peer reviewers will be required to sign an agreement to protect the confidentiality of all proposal material, and to certify that no conflict of interest exists between the reviewer and the offeror. A copy of both forms is available upon request; however, the identity of the reviewer will not be released.

2. EPA PROGRAMMATIC REVIEW. The proposals that received ratings of “Excellent” or “Very Good” by the External Peer Review Panel will be subject to the programmatic review by EPA program managers using the criteria set forth below to select which of the “Excellent” and “Very Good” proposals will be funded. Projects will not be funded where EPA determines the proposed research is already being supported by EPA or another known source. The evaluation criteria “a” through “c” are of equal value and will be used to evaluate the applications in relation to program priorities, balance and programmatic relevancy.

CRITERIA

- a. The potential of the technology to meet Agency program priorities and to strengthen the overall balance of the SBIR program. How well the technology fits into EPA’s overall research strategy or program within the Phase I research topic.
- b. The potential of the technology for significant environmental benefits and for strengthening the scientific basis for risk assessment/risk management in the Agency research topic area.
- c. The potential of the technology to have broad application or to impact large segments of the population.

B. RELEASE OF PROPOSAL REVIEW INFORMATION

After final award decisions have been announced, the technical evaluations of the offeror’s proposal will be provided to the offeror. The identity of the reviewer shall not be disclosed.

V. CONSIDERATIONS

A. AWARDS

The Government anticipates award of approximately 10 firm-fixed-price contracts of up to \$70,000 each including profit. It is expected that these contracts will be awarded with a contract start date of March 1, 2004. The period of performance for the contracts should not exceed six (6) months. The primary consideration in selecting proposals for award will be the technical merit of the proposal. Proposals shall be evaluated in accordance with the Technical Evaluation Criteria stated in IV.A. above. Source selection will not be based on a comparison of cost or price. However, cost or price will be evaluated to determine whether the price, including any proposed profit, is fair and reasonable and whether the offeror understands the work and is capable of performing the contract.

This current solicitation is for Phase I only, and the Government is not obligated to fund any specific Phase I proposal.

Funds are not presently available for this contract. The Government’s obligation under this contract is contingent upon the availability of appropriated funds from which payment for contract purposes can be made. No legal liability on the part of the Government for any payment may arise until funds are made available to the Contracting Officer for this contract and until the Contractor receives notice of such availability, to be confirmed in writing by the Contracting Officer.

B. REPORTS

1. The Contractor shall furnish two (2) copies of a monthly letter report stating progress made. One (1) copy of the report shall be submitted to the Project Officer with one (1) copy to the Contract Specialist. The reports shall be submitted within 7 calendar days after the end of the reporting period. Specific areas of interest shall include progress made and difficulties encountered during the reporting period, and a statement of activities anticipated during the subsequent reporting period. The report shall include any changes in personnel associated with the project. Also, the

first month's report shall contain a work plan and schedule of accomplishments for the subsequent months of the project. The Monthly Report shall include, as an attachment, a copy of the monthly voucher for the same period.

2. Two (2) copies of a comprehensive Final Report on the Phase I project must be submitted to the Project Officer by the completion date of the contract. The Contract Specialist shall receive one copy. This Final Report shall include a single-page project summary as the first page, identifying the purpose of the research, a brief description of the research carried out, the research findings or results, and potential applications of the research in a final paragraph. The balance of the report should indicate in detail the research objectives, research work carried out, results obtained, and estimates of technical feasibility. The report should include a discussion of any commercialization activity carried out during Phase I as well as future commercialization plans.

3. Two (2) hard copies (and one copy on a disk in Word Perfect or ASCII format) of a publishable (cleared for the general public) 2-3 page Executive Summary of the Final Report for Phase I must be submitted to the Project Officer by the completion date of the contract. This special report should be a true summary of the report, including the purpose of the project, work carried out, and results. The summary should stress innovativeness and potential commercialization. The Executive Summary will be placed on the EPA SBIR Web Site, and therefore, it should include the specific results the company is willing to release to the public.

C. PAYMENT SCHEDULE

Phase I payments will be made as follows:

Eighteen percent (18%) of the total contract price upon receipt and acceptance of a proper invoice with each of the first five Monthly Reports. The remainder shall be paid upon receipt and acceptance of the final report. Pursuant to the provisions of FAR 52.232-25, "Prompt Payment," payment will be rendered within thirty (30) days after receipt of a proper invoice.

D. INNOVATIONS, INVENTIONS, AND PATENTS

1. LIMITED RIGHTS INFORMATION AND DATA

a. Proprietary Information

Information contained in unsuccessful proposals will remain the property of the offeror. The Government may, however, retain copies of all proposals. Public release of information in any proposal submitted will be subject to existing statutory and regulatory requirements.

If proprietary information is provided by an offeror in a proposal which constitutes a trade secret, proprietary commercial or financial information, confidential personal information, or data affecting the national security, it will be treated in confidence to the extent permitted by law, provided this information is clearly marked by the offeror with the term "confidential proprietary information" and provided the following legend, which appears on the cover page of the proposal is completed:

"For any purpose other than to evaluate the proposal, this data shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed in whole or in part, provided that if a funding agreement is awarded to this offeror as a result of or in connection with the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the funding agreement and pursuant to applicable law. This restriction does not limit the Government's right to use information contained in the data if it is obtained from another source without restriction. The data subject to this restriction are contained in pages _____ of this proposal."

Any other legend may be unacceptable to the Government and may constitute grounds for removing the proposal from further consideration and without assuming any liability for inadvertent disclosure.

b. Alternative To Minimize Proprietary Information

Offerors shall limit proprietary information to only that absolutely essential to their proposal.

c. Rights in Data Developed Under SBIR Funding Agreements

The Contract will contain a data clause which will provide the following:

SBIR RIGHTS NOTICE (MAR 1994)

These SBIR data are furnished with SBIR rights under Contract No. _____ (and subcontract _____ if appropriate). For a period of four (4) years after acceptance of all items to be delivered under this contract, the Government agrees to use these data for Government purposes only, and they shall not be disclosed outside the Government (including disclosure for procurement purposes) during such period without permission of the Contractor, except that, subject to the foregoing use and disclosure prohibitions, such data may be disclosed for use by support Contractors. After the aforesaid 4-year period the Government has a royalty-free license to use, and to authorize others to use on its behalf, these data for Government purposes, but is relieved of all disclosure prohibitions and assumes no liability for unauthorized use of these data by third parties. This Notice shall be affixed to any reproductions of these data, in whole or in part.

d. Copyrights

With prior written permission of the Contracting Officer, the Awardee normally may copyright and publish (consistent with appropriate national security considerations, if any) material developed with EPA support. EPA receives a royalty-free license for the Federal Government and requires that each publication contain an appropriate acknowledgment and disclaimer statement.

e. Patents

Small business concerns normally may retain the principal worldwide patent rights to any invention developed with Governmental support. The Government receives a royalty-free license for Federal Government use, reserves the right to require the patent holder to license others in certain circumstances, and requires that anyone exclusively licensed to sell the invention in the United States must normally manufacture it domestically. To the extent authorized by 35 U.S.C. 205, the Government will not make public any information disclosing a Government-supported invention for a 4-year period to allow the Awardee a reasonable time to pursue a patent.

E. COST SHARING

Cost sharing is permitted for proposals under this Program Solicitation; however, cost sharing is not required nor will it be an evaluation factor in consideration of your proposal.

F. FEE OR PROFIT

Reasonable fee (estimated profit) will be considered under this solicitation. For guidance purposes, the amount of profit normally should not exceed 10% of total project costs.

G. JOINT VENTURES OR LIMITED PARTNERSHIPS

Joint ventures and limited partnerships are eligible provided the entity created qualifies as a small business as defined in this Program Solicitation.

H. RESEARCH AND ANALYTICAL WORK

1. For Phase I, a minimum of two-thirds of the research and/or analytical effort must be performed by the proposing small business concern unless otherwise approved in writing by the Contracting Officer.

2. For Phase II, a minimum of one-half of the research and/or analytical effort must be performed by the proposing small business concern unless otherwise approved in writing by the Contracting Officer.

I. CONTRACTOR COMMITMENTS

Upon award of a funding agreement, the Awardee will be required to make certain legal commitments through acceptance of numerous clauses in Phase I funding agreements. The outline that follows is illustrative of the types of clauses to which the Contractor would be committed. This list should not be understood to represent a complete list of clauses to be included in Phase I funding agreements, nor to be specific wording of such clauses. Copies of complete terms and conditions are available upon request.

- 1. INSPECTION.** Work performed under the contract is subject to Government inspection and evaluation at all times.
- 2. EXAMINATION OF RECORDS.** The Comptroller General (or a duly authorized representative) shall have the right to examine any directly pertinent records of the awardee involving transactions related to this contract.
- 3. DEFAULT.** The Government may terminate the contract if the Contractor fails to perform the work contracted.
- 4. TERMINATION FOR CONVENIENCE.** The contract may be terminated at any time by the Government if it deems termination to be in its best interest, in which case the Contractor will be compensated for work performed and for reasonable termination costs.
- 5. DISPUTES.** Any dispute concerning the funding agreement that cannot be resolved by agreement shall be decided by the Contracting Officer with right of appeal.
- 6. EQUAL OPPORTUNITY.** The awardee will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.
- 7. AFFIRMATIVE ACTION FOR VETERANS.** The awardee will not discriminate against any employee or application for employment because he or she is a disabled veteran or veteran of the Vietnam era.
- 8. AFFIRMATIVE ACTION FOR HANDICAPPED.** The awardee will not discriminate against any employee or applicant for employment because he or she is physically or mentally handicapped.
- 9. OFFICIALS NOT TO BENEFIT.** No Government official shall benefit personally from the contract.
- 10. COVENANT AGAINST CONTINGENT FEES.** No person or agency has been employed to solicit or secure the contract upon an understanding for compensation except bonafide employees or commercial agencies maintained by the Contractor for the purpose of securing business.
- 11. GRATUITIES.** The contract may be terminated by the Government if any gratuities have been offered to any representative of the Government to secure the contract.
- 12. PATENT AND COPYRIGHT INFRINGEMENT.** The Contractor shall report each notice or claim of patent or copyright infringement based on the performance of the contract.
- 13. AMERICAN-MADE EQUIPMENT AND PRODUCTS.** When purchasing equipment or a product under the SBIR funding agreement, purchase only American-made items whenever possible.

J. ADDITIONAL INFORMATION

1. The Program Solicitation is intended for informational purposes and reflects current planning. If there is any inconsistency between the information contained herein and the terms of any resulting SBIR funding agreement, the terms of the funding agreement are controlling.

2. Before award of an SBIR funding agreement, the Government may request the offeror to submit certain organizational, management, personnel, and financial information to assure responsibility of the offeror.

3. The Government is not responsible for any monies expended by the offeror before award of any funding agreement.

4. This Program Solicitation is not an offer by the Government and does not obligate the Government to make any specific number of awards. Also, awards under the SBIR program are contingent upon the availability of funds.

5. The SBIR program is not a substitute for existing unsolicited proposal mechanisms. Unsolicited proposals shall not be accepted under the SBIR program in either Phase I or Phase II.

6. If an award is made pursuant to a proposal submitted under this Program Solicitation, the Contractor will be required to certify that he or she has not previously been, nor is currently being, paid for essentially equivalent work by any agency of the Federal Government.

7. Notwithstanding the relatively broad definition of R/R&D in Section II, Definitions, hereof, awards under this solicitation are limited to APPLIED forms of research. Proposals that are surveys, including market, state-of the-art and/or literature surveys, which should have been performed by the offeror prior to the preparation of the proposal, or the preparation of allied questionnaires and instruction manuals, shall not be accepted. If such proposals are submitted, they shall be considered as not in compliance with the solicitation intent, and therefore, technically unacceptable.

8. The requirement that the offeror designate a topic, and only one topic (see page 1, Section I above), is also necessary. EPA receives hundreds of proposals each year and has special teams of reviewers for review of each research topic. In order to assure that proposals are evaluated by the correct team, it is the complete responsibility of the offeror to select and identify the best topic.

9. Instructions to Offerors - Competitive Acquisition (May 2001) FAR 52.215-1

(a) *Definitions (as used in this provision).*

“Discussions” are negotiations that occur after establishment of the competitive range that may, at the Contracting Officer’s discretion, result in the offeror being allowed to revise its proposal.

“In writing,” “writing,” or “written” means any worded or numbered expression that can be read, reproduced, and later communicated, and includes electronically transmitted and stored information.

“Proposal modification” is a change made to a proposal before the solicitation’s closing date and time, or made in response to an amendment, or made to correct a mistake at any time before award.

“Proposal revision” is a change to a proposal made after the solicitation closing date, at the request of or as allowed by a Contracting Officer as the result of negotiations.

“Time,” if stated as a number of days, is calculated using calendar days, unless otherwise specified, and will include Saturdays, Sundays, and legal holidays. However, if the last day falls on a Saturday, Sunday, or legal holiday, then the period shall include the next working day.

(b) *Amendments to solicitations.*

If this solicitation is amended, all terms and conditions that are not amended remain unchanged. Offerors shall acknowledge receipt of any amendment to this solicitation by the date and time specified in the amendment(s).

(c) Submission, modification, revision, and withdrawal of proposals.

(1) Unless other methods (e.g., electronic commerce or facsimile) are permitted in the solicitation, proposals and modifications to proposals shall be submitted in paper media in sealed envelopes or packages (i) addressed to the office specified in the solicitation, and (ii) showing the time and date specified for receipt, the solicitation number, and the name and address of the offeror. Offerors using commercial carriers should ensure that the proposal is marked on the outermost wrapper with the information in paragraphs (c)(1)(i) and (c)(1)(ii) of this provision.

(2) The first page of the proposal must show—

(i) The solicitation number;

(ii) The name, address, and telephone and facsimile numbers of the offeror (and electronic address if available);

(iii) A statement specifying the extent of agreement with all terms, conditions, and provisions included in the solicitation and agreement to furnish any or all items upon which prices are offered at the price set opposite each item;

(iv) Names, titles, and telephone and facsimile numbers (and electronic addresses if available) of persons authorized to negotiate on the offeror's behalf with the Government in connection with this solicitation; and

(v) Name, title, and signature of person authorized to sign the proposal. Proposals signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the issuing office.

(3) Submission, modification, revision, and withdrawal of proposals.

(i) Offerors are responsible for submitting proposals, and any modifications or revisions, so as to reach the Government office designated in the solicitation by the time specified in the solicitation. If no time is specified in the solicitation, the time for receipt is 4:30 p.m., local time, for the designated Government office on the date that proposal or revision is due.

(ii) (A) Any proposal, modification, or revision received at the Government office designated in the solicitation after the exact time specified for receipt of offers is "late" and will not be considered unless it is received before award is made, the Contracting Officer determines that accepting the late offer would not unduly delay the acquisition; and—

(1) If it was transmitted through an electronic commerce method authorized by the solicitation, it was received at the initial point of entry to the Government infrastructure not later than 5:00 p.m. 1 working day prior to the date specified for receipt of proposals; or

(2) There is acceptable evidence to establish that it was received at the Government installation designated for receipt of offers and was under the Government's control prior to the time set for receipt of offers; or

(3) It is the only proposal received.

(ii) (B) However, a late modification of an otherwise successful proposal that makes its terms more favorable to the Government, will be considered at any time it is received and may be accepted.

(iii) Acceptable evidence to establish the time of receipt at the Government installation includes the time/date stamp of that installation on the proposal wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of Government personnel.

(iv) If an emergency or unanticipated event interrupts normal Government processes so that proposals cannot be received at the office designated for receipt of proposals by the exact time specified in the solicitation, and

urgent Government requirements preclude amendment of the solicitation, the time specified for receipt of proposals will be deemed to be extended to the same time of day specified in the solicitation on the first work day on which normal Government processes resume.

(v) Proposals may be withdrawn by written notice received at any time before award. Oral proposals in response to oral solicitations may be withdrawn orally. If the solicitation authorizes facsimile proposals, proposals may be withdrawn via facsimile received at any time before award, subject to the conditions specified in the provision at 52.215-5, Facsimile Proposals. Proposals may be withdrawn in person by an offeror or an authorized representative, if the identity of the person requesting withdrawal is established and the person signs a receipt for the proposal before award.

(4) Unless otherwise specified in the solicitation, the offeror may propose to provide any item or combination of items.

(5) Offerors shall submit proposals in response to this solicitation in English, unless otherwise permitted by the solicitation, and in U.S. dollars, unless the provision at FAR 52.225-17, Evaluation of Foreign Currency Offers, is included in the solicitation.

(6) Offerors may submit modifications to their proposals at any time before the solicitation closing date and time, and may submit modifications in response to an amendment, or to correct a mistake at any time before award.

(7) Offerors may submit revised proposals only if requested or allowed by the Contracting Officer.

(8) Proposals may be withdrawn at any time before award. Withdrawals are effective upon receipt of notice by the Contracting Officer.

(d) *Offer expiration date.*

Proposals in response to this solicitation will be valid for the number of days specified on the solicitation cover sheet (unless a different period is proposed by the offeror).

(e) *Restriction on disclosure and use of data.*

Offerors that include in their proposals data that they do not want disclosed to the public for any purpose, or used by the Government except for evaluation purposes, shall—

(1) Mark the title page with the following legend: This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed—in whole or in part—for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of—or in connection with—the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. This restriction does not limit the Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in sheets [insert numbers or other identification of sheets]; and

(2) Mark each sheet of data it wishes to restrict with the following legend: Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this proposal.

(f) *Contract award.*

(1) The Government intends to award a contract or contracts resulting from this solicitation to the responsible offeror(s) whose proposal(s) represents the best value after evaluation in accordance with the factors and subfactors in the solicitation.

(2) The Government may reject any or all proposals if such action is in the Government's interest.

(3) The Government may waive informalities and minor irregularities in proposals received.

(4) The Government intends to evaluate proposals and award a contract without discussions with offerors (except clarifications as described in FAR 15.306(a)). Therefore, the offeror's initial proposal should contain the offeror's best terms from a cost or price and technical standpoint. The Government reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary. If the Contracting Officer determines that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the Contracting Officer may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals.

(5) The Government reserves the right to make an award on any item for a quantity less than the quantity offered, at the unit cost or prices offered, unless the offeror specifies otherwise in the proposal.

(6) The Government reserves the right to make multiple awards if, after considering the additional administrative costs, it is in the Government's best interest to do so.

(7) Exchanges with offerors after receipt of a proposal do not constitute a rejection or counteroffer by the Government.

(8) The Government may determine that a proposal is unacceptable if the prices proposed are materially unbalanced between line items or subline items. Unbalanced pricing exists when, despite an acceptable total evaluated price, the price of one or more contract line items is significantly overstated or understated as indicated by the application of cost or price analysis techniques. A proposal may be rejected if the Contracting Officer determines that the lack of balance poses an unacceptable risk to the Government.

(9) If a cost realism analysis is performed, cost realism may be considered by the source selection authority in evaluating performance or schedule risk.

(10) A written award or acceptance of proposal mailed or otherwise furnished to the successful offeror within the time specified in the proposal shall result in a binding contract without further action by either party.

(11) The Government may disclose the following information in postaward debriefings to other offerors:

(i) The overall evaluated cost or price and technical rating of the successful offeror;

(ii) The overall ranking of all offerors, when any ranking was developed by the Agency during source selection;

(iii) A summary of the rationale for award; and

(iv) For acquisitions of commercial items, the make and model of the item to be delivered by the successful offeror.

(12) ORGANIZATIONAL CONFLICTS OF INTEREST (EPAAR 1552.209-71) (MAY 1994) ALTERNATE I (MAY 1994)

(a) The Contractor warrants that, to the best of the Contractor's knowledge and belief, there are no relevant facts or circumstances which could give rise to an organizational conflict of interest, as defined in FAR Subpart 9.5, or that the Contractor has disclosed all such relevant information.

(b) Prior to commencement of any work, the Contractor agrees to notify the Contracting Officer immediately that, to the best of its knowledge and belief, no actual or potential conflict of interest exists or to identify to the Contracting Officer any actual or potential conflict of interest the firm may have. In emergency situations, however, work may begin but notification shall be made within five (5) working days.

(c) The Contractor agrees that if an actual or potential organizational conflict of interest is identified during performance, the Contractor will immediately make a full disclosure in writing to the Contracting Officer. This disclosure shall include a description of actions which the Contractor has taken or proposes to take, after consultation with the Contracting Officer, to avoid, mitigate, or neutralize the actual or potential conflict of interest.

The Contractor shall continue performance until notified by the Contracting Officer of any contrary action to be taken.

(d) Remedies - The EPA may terminate this contract for convenience, in whole or in part, if it deems such termination necessary to avoid an organizational conflict of interest. If the Contractor was aware of a potential organizational conflict of interest prior to award or discovered an actual or potential conflict after award and did not disclose it or misrepresented relevant information to the Contracting Officer, the Government may terminate the contract for default, debar the Contractor from Government contracting, or pursue such other remedies as may be permitted by law or this contract.

(e) The Contractor agrees to insert in each subcontract or consultant agreement placed hereunder provisions which shall conform substantially to the language of this clause, including this paragraph, unless otherwise authorized by the Contracting Officer.

VI. SUBMISSION OF PROPOSALS

A. Your proposal with an original and nine (9) copies shall be received at one of the following addresses by 12:00 p.m. (noon), local time, on May 23, 2003.

U.S. MAIL ADDRESS:

U.S. Environmental Protection Agency
Solicitation No. PR-NC-03-10273 - Western USA
SBIR
Closing Date: May 23, 2003 at 12:00 p.m. (noon)
Attention: Marsha Johnson, Special SBIR Phase I
RTP Procurement Operations Division (D143-01)
Research Triangle Park, NC 27711

HAND CARRIED/COURIER ADDRESS:

U.S. Environmental Protection Agency
Solicitation No. PR-NC-03-10273 - Western USA
SBIR
Closing Date: May 23, 2003 at 12:00 p.m. (noon)
Attention: Marsha Johnson, Special SBIR Phase I
RTP Procurement Operations Division (D143-01)
4930 Old Page Road
Research Triangle Park, NC 27709

IMPORTANT!!! Please note Section V, Paragraph J.9(c) concerning Late Proposals, Modifications of Proposals and Withdrawal of Proposals.

Telegraphic, telecopied or facsimile proposals will NOT be considered for award.

B. Please do not use special bindings or covers. Staple the pages in the upper left corner of the cover sheet of each proposal.

C. All copies of a proposal shall be sent in the same package.

D. The proposal should be self-contained and written with the care and thoughtfulness accorded papers for publication.

VII. SCIENTIFIC AND TECHNICAL INFORMATION SOURCES

(See Appendix D)

VIII. SBIR PHASE I TECHNOLOGY SOLUTIONS FOR WESTERN USA ENVIRONMENTAL PROBLEMS RESEARCH TOPICS

Program Scope: The objective of this solicitation is to increase the incentive and opportunity for small firms to undertake cutting-edge, high-risk, or long-term research that has a high potential payoff if the research is successful. Federal support of the front-end research on new ideas, often the highest risk part of the innovation process, may provide small businesses sufficient incentive to pursue such research.

EPA's SBIR program does not fund basic research or literature searches. It is recognized that any research and development project starts out as a concept of the inventor. Basic theoretic research studies and preliminary laboratory testing of the concept are often needed to develop an idea. Literature and other surveys and questionnaires are also needed to rule out duplication and inappropriate research study and process detail, finally leading to the process design of a prototype apparatus or process that could be tested to show the feasibility of the innovation. These basic research activities and preliminary studies should be completed before preparing an SBIR proposal.

Proposals only offering computer expert systems, computer models, and computer-aided design activities are unacceptable. Computer activities may be helpful tools in the early identification of pollution problems and possible solutions, but they do not directly reduce pollution. They cannot be used in lieu of applied laboratory research to determine the feasibility of a pollution control process. Also, proposals which only offer the performance of a design activity cannot be judged as it is impossible to guess what sort of apparatus or process will result. Without a straight-forward description of the process and/or apparatus to be tested, there can be no determination of the scientific and technical quality of the work plan. Proposals only offering such design activities are unacceptable.

Program Topics: The proposed research must directly pertain to EPA's environmental mission and must be responsive to EPA program interests included in the topic descriptions of this solicitation. The research should be the basis for technological innovation resulting in new commercial products, processes, or services which benefit the public and promote the growth of the small business. This special SBIR solicitation is focused on Western USA environmental problems.

Please note that EPA is issuing this solicitation and three others with the same opening and closing dates. All solicitations are available from March 27 to May 23, 2003, on the EPA SBIR Web Site (www.epa.gov/ncer/sbir) or by calling the EPA SBIR help line (800-490-9194). EPA's Special SBIR Solicitations also include Air Pollution Monitoring and Safe Buildings and Water Security. The Regular SBIR Solicitation includes topics on nanomaterials and clean technology, drinking water and wastewater treatment, and solid and hazardous waste management. The opening and closing dates are the same for all solicitations.

Specific topics in this solicitation include: (A3) Coal Bed Methane, (B3) Animal Environmental Management and Chronic Wasting Disease, (C3) Mining, and (D3) Nonroad Engines.

A3. COAL BED METHANE

There may be as many as 20,000 coal bed methane (CBM) wells in EPA Region VIII. In the Montana/Wyoming Powder River Basin alone, there are over 10,000 CBM wells, and up to 10 new wells are drilled each day. Each well must de-water the aquifer to allow the methane to be captured. The average formation water from each well is about 1 million gallons per week and this water is discharged to streams or ponds with little captured for any beneficial use. Over its 15-year life, each well will discharge about the same amount of water that 100,000 people would drink over their lifetimes. Aquifer

drawdown impacts large areas, groundwater and surface water is contaminated, streams and local environments are altered. New cost-effective technologies are needed to capture, conserve, reuse, and otherwise not waste the formation water from these wells. Examples of research needs include, but are not limited to:

- New downhole separators including pumps, centrifugal or gravitational systems, and other new technology devices that are placed inside wells and decrease or eliminate formation waters that must be brought to the surface in connection with CBM production.
- Better, less expensive treatment methods that reuse, reinject, or return the clean formation water back into drinking water aquifers.
- New technologies including phytoremediation to reduce pollutants, soil loss, sediments, and erosion.
- Environmentally friendly drilling methods that reduce the overall impacts from drilling new CBM wells.

B3. ANIMAL ENVIRONMENTAL MANAGEMENT AND CHRONIC WASTING DISEASE

The Animal Environmental Management topic includes technologies associated with concentrated animal feeding operations (CAFOs), Chronic Wasting Disease (CWD), and animal bio-waste disposal and utilization.

CONCENTRATED ANIMAL FEEDING OPERATIONS

CAFOs include cattle feedlots, hog operations, dairy farms, and poultry operations that confine large numbers of animals and store wastewater and manure in a contained area for extended periods of time. Animal feeding operations are typically conducted on a small amount of land where feed is brought to the animals. Animal waste, wastewater, and manure need to be treated effectively and systems managed to avoid accidents, spills, or excessive runoff into receiving waters. (For more information on CAFOs, see: <http://www.epa.gov/npdes/afo>.) Examples of CAFO needs include, but are not limited to, the following:

- New, cost-effective and efficient technologies are needed to manage CAFO wastes, wastewaters and manure. Technologies that reduce releases of nutrients and pathogens are a priority.
- Development of alternative markets for CAFO residuals.

CHRONIC WASTING DISEASE

CWD is a neurological disease of farmed and wild deer and elk. CWD belongs to a family of animal and human diseases called transmissible spongiform encephalopathies (TSEs) which include variants such as bovine spongiform encephalopathy or “mad cow” disease. CWD is associated with a transmissible agent which may be virus-like or a self-replicating protein referred to as a prion. The agent attacks the brain and spinal cord and is highly stable, resisting freezing, drying, and high temperatures including those used for sterilization. These diseases are rare but always fatal and there is no known treatment. Examples of EPA research needs include, but are not limited to:

- Diagnostic instruments that can detect CWD disease in live animals. Such a test would help isolate infected animals and prevent contamination of landfills, streams, and drinking water sources.
- Monitoring instruments for detecting CWD agents in groundwater, streams, and drinking water sources.

ANIMAL BIO-WASTE DISPOSAL AND UTILIZATION

The 1997 Food and Drug Administration (FDA) ban on the use of mammalian products in ruminant feeds has reduced the market of the rendering industry. Meat packers continue to produce meat and bone meal, tallow, and grease products plus

there are other non-consumable animal “waste” (diseased, dead, dying, and disabled animals; slaughter offal; supermarket waste; and restaurant grease). Examples of EPA research needs include, but are not limited to:

- Sound and economically feasible solutions for disposal, utilization, and recycling of bio-wastes from the meat rendering industry such as bio-digestion, formation of bio-fuels, and incineration.

C3. MINING

Hard-rock mining has created a multitude of environmental problems. Subsurface drainage and surface runoff from mine sites have negatively impacted water quality in streams. Many abandoned mining sites are being cleaned up as “Superfund” sites. Economical mine management technologies are needed for waste rock disposal sites, tailings impoundments, walls of open pits, abandoned mine workings, and spent-ore leach pads.

Acid mine drainage (AMD) is also an important problem, especially from abandoned mines. EPA is interested in new and novel technologies that are low-cost, effective, and long lasting. AMD is caused by the oxidation of sulfide minerals in mine tailings and waste rock. Almost half of the headwaters of the Rocky Mountains in EPA Region VIII do not meet water quality standards due to AMD from over 48,000 abandoned mines. Chemical and biological processes cause AMD which is characterized by acidic water containing heavy metals that were once locked up in the rock matrix. Examples of EPA needs include, but are not limited to:

- Technologies that prevent or mitigate the formation of acid mine drainage *in situ*. Acid mine drainage is formed by chemical oxidation of pyrite which is catalyzed biologically. Technologies that can prevent this oxidation from occurring and which might have practical means of application within a mining environment (both active and abandoned and both surface and underground) are within the scope of interest of this solicitation.
- Passive treatment systems for AMD that clean the contaminated waste without operators or continual needs for materials or energy. Technology examples include natural and constructed wetlands, permeable reactive barriers, and *in situ* augmentation of sulfate-reducing bacteria.
- Prevention and control technologies that are used to prevent and/or control the generation of leachate that contains metals and other chemicals. Examples include stabilization and solidification, blending and layering, and alternative covers.
- Low-cost abiotic and biologically mediated treatment processes for AMD such as sedimentation, oxidation/ reduction, plant uptake (phytoremediation), and metals precipitation as hydroxides and sulfides. Emphasis is on treatment processes which treat metal mixtures versus single metal waste streams because most environmental impacts result from mining activities involve contamination resulting from several metals.

D3. NONROAD ENGINES

EPA is concerned about the air emissions from existing nonroad engines, specifically diesel engines such as those used in farming, construction, and mining. These engines emit particulate matter, volatile organic pollutants, and oxides of nitrogen. EPA is interested in retrofit technologies including after-treatment technologies and/or engine improvements that could be used on existing nonroad engines to reduce air emissions. Inexpensive retrofits and easy to install devices that will perform well over an extended period of time are of particular interest. For more information on EPA’s control program for nonroad engines, equipment, and vehicles, see: <http://www.epa.gov/otaq>.

IX. SUBMISSION FORMS AND CERTIFICATIONS

The attached forms, Appendix A - Proposal Cover Sheet, Appendix B - Project Summary, and Appendix C - SBIR Proposal Summary Budget, should be downloaded and printed from the Internet or photocopied, and completed as indicated under Section III, Proposal Preparation Instructions and Requirements. The purpose of these forms is to meet the mandate of law or regulation and simplify the submission of proposals.

Appendix A
U.S. ENVIRONMENTAL PROTECTION AGENCY
SMALL BUSINESS INNOVATION RESEARCH PROGRAM
SOLICITATION NUMBER PR-NC-03-10273
WESTERN USA ENVIRONMENTAL PROBLEMS PHASE I

PROPOSAL COVER SHEET

PROPOSAL TITLE: _____

FIRM NAME:

MAILING

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

AMOUNT REQUESTED: \$ _____

PROPOSED DURATION (PHASE I): 6 MOS

(Not to Exceed \$70,000)

*****Proposals submitted in response to this solicitation will be valid for 300 days*****

TOPIC (check one)

____ A3. Coal Bed Methane

____ B3. Animal Environmental Management and Chronic Wasting Disease

____ C3. Mining

____ D3. Nonroad Engines

CERTIFICATIONS AND AUTHORIZATIONS: Answer Y(Yes) or N(No)

- ____ 1. The above concern certifies that it is a small business concern and meets the definition as stated in the program solicitation. Please note: Firms that are a wholly owned subsidiary of another entity do not meet the eligibility requirements of an SBIR award.
- ____ 2. The above concern certifies that a minimum of 2/3 of the research and/or analytical effort will be performed by the proposing firm.
- ____ 3. If the proposal does not result in an award, is the Government permitted to disclose the title and technical abstract page of your proposed project, and the name, address, and telephone number of the official of the proposing firm to any inquiring parties?
- ____ 4. The above concern certifies that it is a woman-owned small business concern and meets the definition as stated in the program solicitation.*
- ____ 5. The above concern certifies that it is a socially and economically disadvantaged small business concern and meets the definition as stated in the program solicitation.*
- ____ 6. The above concern certifies it is a HUBZone small business concern and meets the definition as stated in the program solicitation.*
- ____ 7. Do you plan to send, or have you sent, this proposal or a similar one to any other Federal agency? If yes, which? Use acronym(s) for each agency, (e.g., DOD, NIH, DOE, NASA, etc.) _____

* For information purposes only.

8. Choose one of the following to describe your Organization Type:

_____ Individual _____ Partnership _____ Corporation _____ LLC

9. Provide the following information: Tax Identification No: _____

Dun & Bradstreet Number: _____

Common Parent Name: _____

ENDORSEMENTS

Authorized Negotiator:

Person Authorized to Sign Proposal:

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Telephone: _____

Telephone: _____

Fax: _____

Fax: _____

E-mail: _____

E-mail: _____

Signature: _____

Signature: _____

Date: _____

Date: _____

PROPRIETARY NOTICE: For any other purpose than to evaluate the proposal, this data shall not be disclosed outside the Government and shall not be duplicated, used or disclosed in whole or in part, provided that if a funding agreement is awarded to this offeror as a result of or in connection with the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the funding agreement and pursuant to applicable law. This restriction does not limit the Government's right to use information contained in the data if it is obtained from another source without restriction. The data in this proposal subject to this restriction is contained on pages _____ of this proposal.

Appendix B
U.S. ENVIRONMENTAL PROTECTION AGENCY
SMALL BUSINESS INNOVATION RESEARCH PROGRAM
SOLICITATION NUMBER PR-NC-03-10273
WESTERN USA ENVIRONMENTAL PROBLEMS PHASE I

PROJECT SUMMARY (Limit to One Page)

FIRM NAME, ADDRESS, TELEPHONE AND FAX NUMBER, AND E-MAIL ADDRESS:

Firm Name: _____ Telephone: _____

Address: _____ Fax: _____

_____ E-mail: _____

TITLE OF PROPOSAL: _____

TOPIC LETTER AND DESCRIPTION: _____

NAME, TITLE, AND E-MAIL ADDRESS OF PRINCIPAL INVESTIGATOR/PROJECT MANAGER:

TECHNICAL ABSTRACT, RESULTS, AND POTENTIAL COMMERCIAL APPLICATION
(Limit to 400 Words; Must be Publishable):

Appendix C
SBIR PROPOSAL SUMMARY BUDGET
(See Instructions on the Next Page)

Organization and Address

A. DIRECT LABOR (PI and other staff, list separately) Hours/Est. Rate:

\$

B. OVERHEAD:

\$

C. OTHER DIRECT COSTS: (list separately)

\$

D. TRAVEL: List purpose and individuals and/or title

\$

E. CONSULTANTS: (List Est. Rate and Hours)

\$

F. GENERAL AND ADMINISTRATIVE:

\$

TOTAL COSTS (Total of A through F above)

\$

G. PROFIT (____%) Not to exceed 10% of total project costs

\$

TOTAL PROJECT PRICE (Total costs + Profit)

\$

PRINT NAME:

TITLE:

SIGNATURE: _____

DATE SUBMITTED: _____

This proposal is submitted in response to EPA SBIR Program Solicitation No. PR-NC-03-10273 and reflects our best estimate as of this date.

INSTRUCTIONS FOR APPENDIX C

The purpose of this form is to provide a vehicle whereby the offeror submits to the Government a pricing proposal of estimated costs with detailed information for each cost element, consistent with the offeror's cost accounting system.

If the completed summary is not self-explanatory and/or does not fully document and justify the amounts requested in each category, such documentation should be contained, as appropriate, on a budget explanation page immediately following the budget in the proposal. The form Appendix C will count as one page in the 25-page limit, and any budget explanation pages included will count separately toward the 25-page limit. (See below for discussion on various categories.)

A. Direct Labor - List individually all personnel included, the estimated hours to be expended and the rates of pay (salary, wages, and fringe benefits).

B. Overhead - Specify current rate(s) and base(s). Use current rate(s) negotiated with the cognizant Federal negotiating agency, if available. If no rate(s) has (have) been negotiated, a reasonable rate(s) may be requested for Phase I which will be subject to approval by EPA. Offerors may use whatever number and types of overhead rates that are in accordance with their accounting systems and approved by the cognizant Federal negotiating agency, if available.

C. Other Direct Costs - List all other direct costs which are not otherwise included in the categories described above, i.e., computer services, publication costs, subcontracts, etc. List each item of permanent equipment to be purchased, its price, and explain its relation to the project.

D. Travel - Address the type and extent of travel and its relation to the project.

E. Consultants - Indicate name, daily compensation, and estimated days of service.

F. General and Administrative (G&A) - Same as B above.

G. Profit - Reasonable fee (estimated profit) will be considered under this solicitation. For guidance purposes, the amount of profit normally should not exceed 10% of total project costs.

Appendix D

SCIENTIFIC AND TECHNICAL INFORMATION SOURCES

State-of-the-art information, including service and cost details, useful in preparing SBIR proposals or in guiding research efforts may be obtained from the following sources:

National Technical Information Service (NTIS)
5288 Port Royal Road
Springfield, VA 22161
(513) 569-7562

EPA Headquarters Library (3404)
US Environmental Protection Agency
401 M Street, SW
Washington, DC 20460
(202) 260-5922

The Hazardous Waste Collection and Database are available for use in the EPA Headquarters Library, the 10 EPA Regional libraries, EPA laboratories in ADA, OK; Edison, NJ; Las Vegas, NV; Research Triangle Park, NC; and the National Enforcement Investigations Center in Denver, CO. The Database runs on an IBM AT/XT or compatible equipment and may be purchased from NTIS using the NTIS order number PB87-945000.

The Environmental Quality Instructional Resources Center
1200 Chambers Road, R.310
Columbus, OH 43212
(614) 292-6717
[Especially related to Drinking Water and Waste Water Treatment]

National Small Flows Clearinghouse (SWICH)
P.O. Box 7219
Silver Spring, MD 20910
1-800-677-9424
[Topic themes include source reduction, recycling, composting, waste combustion, collection, transfer, disposal, landfill gas, and special wastes]

ACCESS EPA (#055-000-00509-5) 1995 Edition

A consolidated guide to EPA information resources, services, and products. It provides access to:

- Public information tools
- Major EPA dockets
- Clearing houses and hot lines
- Records management programs
- Major EPA environmental databases
- Library and information services
- State environmental libraries

“ACCESS EPA” may be ordered at a cost of \$16.00 each from the U.S. Government Printing Office, New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954, or telephone (202)512-1800, or from NTIS using order number PB-147438.

Vendor Information System for Innovative Treatment Technologies (VISITT) profiles 325 innovative technologies available from 204 vendors to treat ground water in situ, soil, sludges, and sediments. It includes technologies in all stages of development-bench, pilot, or full. VISITT is available at no charge on diskettes compatible with personal computers using DOS operating systems. To order VISITT diskettes and user manual, and to become a registered user, call the VISITT Hotline at 1-800-245-4505.

ENVIROSENSE

Internet: <http://www.epa.gov/envirosense>

ES includes numerous databases and addresses industry and small business needs by establishing specific compliance assistance, P2, regulatory, and specific industry sector (SIC) data sets.

Appendix E

COMMERCIALIZATION FACTSHEET/PATENT SEARCH

(Finding Commercial Products; Conducting a Patent Search; Searching for Federal Research;
Standards/Certifying Bodies)

FINDING COMMERCIAL PRODUCTS

The technology you are proposing may already be being sold in the market. There are five Web searches recommended as the minimum for determining if the technology is commercially available. In each case, when having trouble look for the FAQs (Frequently Asked Questions) or other advice on searching.

Web Search Using General Search Engines

There are around 320 million indexed Web pages and the Web continues to grow exponentially. One problem with this rate of growth is that no single Web search engine is capable of indexing the whole of cyberspace. We recommend using at least one meta-engine and two search engines.

A meta-engine is a search engine which searches other engines that actually catalog or index sites. Examples are Metacrawler, <http://www.metacrawler.com/>, and Dogpile, <http://www.dogpile.com>. We use that search to identify which search engines seem to be producing the best results and then use those engines for more complicated queries which cannot be supported by Metacrawler and other meta-engines.

Two engines for more detailed searches at present are Hotbot's More Options page (http://www.hotbot.com/default.asp?MT=&SM=MC&DV=7&RG=com&act.super=+More+Options+&DC=10&DE=2&_v=2&OPs=MDRTP) and Alta Vista's Advanced Query Page (<http://www.altavista.digital.com/cgi-bin/query?pg=aq>). Both engines allow you to search new groups (Usenet) as well as the Web. Hotbot has the largest number of pages indexed by any Web browser as this is written. Alta Vista has the next most extensive coverage. Unfortunately, queries are constrained to the options presented. Alta Vista supports any Boolean query you can design. Both sites have a search by subject feature that provides another path to sites of interest. Because Digital Equipment Corporation, who maintains Alta Vista, is a high-tech company, this engine has traditionally been strong on indexing science and technology sites.

When searching, expand or narrow your keywords over time. For example, when searching for "sapphire liquid crystal displays," you may want to broaden to liquid crystal displays or just displays. Also remember to use abbreviations such as LCD.

Thomas Register of American Manufacturers: Long a staple of corporate buyers and market researchers, you can access Thomas Register on-line for free at <http://www.thomasregister.com/>. Once you obtain your free membership, you can search the 155,000 companies by product. You may have to try a few different keywords to get hits.

Hoovers: Hoovers on-line at <http://www.hoovers.com> provides access to profiles on over 12,000 companies. These are the major firms in America, including subsidiaries of foreign operations. By using the keyword search, you can look for companies making products in areas related to your technology. Hoovers provides hypertext links to go to the company's Web page. Phone, fax, and street address are also provided. If you cannot find the information on the Web, ask for relevant product literature from their marketing departments.

Press Releases: PR Newswire (<http://www.prnewswire.com/>) redistributes corporate press releases. It provides coverage of newly released products that might not otherwise be found on the Web.

Patents: We discuss patent searches in the next section of this factsheet. Look for patents related to your technology, then examine the assignee field. Companies licensing or patenting technology in areas related to your technology are competitors that may be introducing products similar to the one you are considering proposing. Search for their Web pages using one of the resources above.

CONDUCTING A PATENT SEARCH

What is a patent? A patent is a right to an invention that is granted by the U.S. Government or a foreign government. It gives the holder an exclusive right to use an invention during a period of time. In the United States, before a patent can be issued, the inventor must demonstrate his or her invention is new and non-obvious. To be new, an invention must not have been known nor made by others in the U.S. The invention also can not have been previously patented or presented in a publication prior to the claimed date on which the invention was made. Patents are handled by the U.S. Patent Office.

Non-obvious is established with reference to what would be obvious to a person of ordinary skill in the relevant technology (or technologies) at the time of the invention. A general rule is that the more complicated the technology and the greater the rate at which it is developing, the higher the skill-level of that hypothetical ordinary person. Non-obvious is determined by examining prior patents, technical publications, and non-secret work being conducted. Usually some aspect of an invention will be non-obvious and thus capable of being patented.

It is important to recognize that different rules apply in different countries. In the U.S., you have 1 year from the time of first disclosure, use, publication, or sale of an invention to patent the invention. Where more than one person or group makes a claim to be the inventor, the patent goes to the person or group that can demonstrate priority in time. Overseas, the rules are different. Usually the invention must be patented before any public disclosure, use, publication, or sale. In case of a dispute, priority goes to the first person or group to apply for a patent, regardless of who may actually be the inventor. You can, however, get the same overseas priority rights you would get from simultaneously filing overseas and in the U.S. if you file in each relevant country within 12 months of a U.S. patent application.

How to search for U.S. patents: To search the Patent Office go to <http://patents.uspto.gov/index.html>.

The Boolean search capability of the Patent Office enables constructing complicated searches to narrow in on patents of interest. It allows two terms Booleans in the first search, with more complicated queries when refining a search. You can search specific sets of years or the entire database. The advanced search gives you the ability to look in any or all of the fields in the patent—a very nice feature. Coverage includes all patents issued no later than one week earlier. It includes all utility, design, and plant patents since 1976. Claims and pictures are not included. (See below, Reading Patents.)

The IBM Patent server contains over 2 million patents. Where drawings are part of the patent, they have been scanned in and can be viewed. Off the home page, you have the option of searching from 1995 to present or 1971 to present. Hypertext links on the home page let you search by patent number, use Boolean Logic, or do a text search in various sections of the patent. Try to be as targeted as possible in your search terms. For example, “environmental monitor” will return 42 patents issued in 1995 or later on IBM’s server. “Mercury monitor,” by comparison, returns only three.

Reading Patents: Once you have found a patent that looks relevant for your interests, examine the abstract and the claims. The abstract provides an overview of what is covered. The claims give you the specific scope of the patent.

There are three paths for finding other patents of interest, once you have found the first one. The first method is to look at the class (or classes) of the patent. You can find patents addressing similar problems by looking in those classes. To fine tune the classes to use, look at a number of relevant patents. Examine the classes that are listed on the patent. Select those classes that most frequently appear across your sample of patents for further examination.

The second method is to look at the patents cited as references. The final method is to look at patents that reference the one you are examining. By searching text, relevant classes, and patents referred to or referencing relevant patents you can quickly determine if a U.S. patent has issued on a technology of interest. CAUTION: Examining U.S. patents does not assure you the technology has not been patented elsewhere. Further, if the patent is only applied for and has not yet been issued, you will not find it.

SEARCHING FOR FEDERAL RESEARCH

There are two sets of publicly available data on Federal Research. FEDRIP, or Federal Research in Progress, provides access to current civilian agency research. FEDRIP includes:

- Department of Agriculture
- Department of Energy
- Department of Veterans Affairs
- Environmental Protection Agency
- Federal Highway Administration
- National Institutes of Health
- NASA
- National Science Foundation
- US Geological Survey
- National Institute of Standards and Technology
- Nuclear Regulatory Commission
- Small Business Innovation Research

Parts of FEDRIP may be searched for free at The Community of Science, <http://fundedresearch.cos.com/>. Separate databases exist for the National Institutes of Health, NSF, USDA, and the SBIR program—which means you must do multiple searches. You can also search projects of the Medical Research Council of the United Kingdom. To search all of FEDRIP, go to <http://grc.ntis.gov/fedrip.htm>. There is a \$350 fee.

In addition, by going to an agency's Web site, you can find information on their current and/or past awards. The National Technical Information Service (NTIS) is the designated repository of research reports. It contains technical reports and other government-produced information products. The free access parts may be searched at <http://www.ntis.gov/>.

Perhaps the best comprehensive resource for searching is the RAND's RaDiUS at <http://www.rand.org/radius/>. RaDiUS stands for "Research and Development in the United States." It is the first comprehensive database that tracks in real time the research and development activities and resources of the U.S. Government. Among its sources are the following: the Catalog of Federal Domestic Assistance (CFDA); USDA's Current Research Information System (CRIS); HHS's Computer Retrieval of Information on Scientific Projects (CRISP) and Information for Management, Planning, Analysis, and Coordination (IMPAC) system; DoD's R-1 and R-2 Budget Exhibits and Work Unit Information Summaries (WUIS); DOE's laboratory information system; the Federal Assistance Awards Data System (FAADS); the Federal Procurement Data System (FPDS); OMB's MAX system; DVA's R&D Information System (RDIS); NSF's Science and Technology System (STIS); and NASA's 507 System.

You must be a Government Contractor to subscribe to RaDiUS. The small business fee is \$1,000 per year per password.

STANDARDS AND CERTIFYING BODIES

If you are going to introduce a commercial product, it most likely will have to meet certain standards and be certified as meeting those standards. For example, we all are familiar with the Underwriter Laboratories seal found on household electrical products—a certification of safety under normal use.

A wide range of bodies creates standards or certifies products. To find relevant standards, we recommend beginning at the American National Standards Institute's "Internet Resources for Standards Developers," located at: http://www.ansi.org/standards_activities/overview/overview.aspx?menuid=3. The site provides links to U.S. bodies developing standards.

In the U.S., private sector laboratories, like UL commonly do certification. These organizations rely on standards developed by consensus bodies such as the American Society for Testing and Materials (<http://www.astm.org/>) or Federal agencies such as EPA. ASTM maintains an International Directory of Testing Laboratories at: <http://astm.365media.com/astm/labs/>. The Directory can be searched by geographic location, lab name, subject area, or keywords.

IMPORTANT!!

IF YOU WISH TO RECEIVE AN ACKNOWLEDGMENT CARD TO CONFIRM RECEIPT OF YOUR PROPOSAL, PLEASE COMPLETE A STANDARD SELF-ADDRESSED POSTCARD CONTAINING THE FOLLOWING INFORMATION AND ATTACH TO THE ORIGINAL OF EACH PROPOSAL:

Please type the following and fill in the blanks as appropriate:

This will acknowledge the receipt of your proposal titled:

Topic Letter _____. The evaluation of proposals and the award of SBIR Contracts will require approximately 10 months, and no information on proposal status will be available until final selection(s) is made. Your proposal has been assigned EPA No. _____(to be filled in by EPA).

Date:_____

REVERSE SIDE: Please type the following in the upper left-hand corner (return address) and self-address the card to your corporate official: (Post cards that do not meet not postal service standards will not be returned).

U.S. EPA
RTP/POD (D143-01)
RTP, NC 27711

Official Business
Penalty for Private Use \$300

Your Firm Name
Address
City, State Zipcode
